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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 IDS PROPERTY AND CASUALTY
10 INSURANCE COMPANY,

11 Plaintiff,

12 v.

13 CHARLES H. FELLOWS,

14 Defendant.

C15-2031 TSZ

MINUTE ORDER

15 The following Minute Order is made by direction of the Court, the Honorable
16 Thomas S. Zilly, United States District Judge:

17 (1) Defendant Charles H. Fellows's motion for attorney fees and costs, docket
18 no. 206, is RENOTED to May 19, 2017. By Monday, May 8, 2017, defendant shall file
19 a supplemental brief, not to exceed five (5) pages in length, addressing whether
20 defendant's trial attorneys are limited in their recovery from defendant to the greater of
21 the contingency fee or statutory fee. See Hamner v. Rios, 769 F.2d 1404 (9th Cir. 1985);
22 Sullivan v. Crown Paper Board Co., 719 F.2d 667 (3d Cir. 1983); Wheatley v. Ford, 679
23 F.2d 1037 (2d Cir. 1982); see also Venegas v. Skaggs, 867 F.2d 527 (9th Cir. 1989). A
copy of the contingency-fee agreement between defendant and Keller Rohrbach L.L.P.
shall be attached to such supplemental brief.

(2) Plaintiff IDS Property and Casualty Insurance Company's consolidated
response to defendant's motion for attorney fees and costs and the supplemental brief
required in Paragraph 1 is due on May 15, 2017. Plaintiff's motion for extension of time,
docket no. 216, is STRICKEN as moot.

(3) Plaintiff's motion, docket no. 219, for leave to file an overlength brief in response to defendant's motion for attorney fees and costs is GRANTED as follows. Plaintiff's consolidated response shall not exceed twenty-four (24) pages. Defendant's reply shall not exceed twelve (12) pages and shall be filed by the new noting date.

(4) The Clerk is directed to send a copy of this Minute Order to all counsel of record.

Dated this 28th day of April, 2017.

William M. McCool
Clerk

s/Karen Dews
Deputy Clerk